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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,373	02/24/2004	Aleksander Zelenski	004.0115	3393
29906	7590	12/23/2005	EXAMINER	
INGRASSIA FISHER & LORENZ, P.C.			RACHUBA, MAURINA T	
7150 E. CAMELBACK, STE. 325			ART UNIT	PAPER NUMBER
SCOTTSDALE, AZ 85251			3723	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TAL

**Office Action Summary**

Application No.

10/786,373

Applicant(s)

ZELENSKI ET AL.

Examiner

M Rachuba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 15-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 24-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/24/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. Claims 15-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12 October 2005.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 12, 13, and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesna et al, US005595529A in view of Kahn US006196907B1. Regarding claims 1, '529, figure 1 and its description, discloses the claimed invention, but does not disclose the spindle having a channel disposed longitudinally through it, and the second orifice of each of the plurality of first conduits in fluid communication with the longitudinal channel of the spindle. '907, in a similar device, teaches providing a fluid supply system that supplies fluid through a channel in the rotating spindle, and conduits in fluid communication with the longitudinal channel to supply fluid to an upper platen. It would have been obvious to one of ordinary skill to have provided '529 with the fluid channel in the spindle as taught by '907, figures 2 and 3 and their descriptions, to allow for an internal fluid supply system for a more compact machine.

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4. Claims 34-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesna et al, US005595529A in view of Janssen, 4,007,560. "529 discloses the claimed invention except for the spindle located outside of the plane of the two support members, and the rotary drive mechanism comprising at least first and second pulleys and a drive belt. '560, figures 1 and 3, teaches locating the spindle outside the plane of the support members. It would have been obvious to one of ordinary skill to have provided '529 with the spindle positioning as taught by '560, which would allow access to the upper and lower platens without interference from the support structures. Regarding the use of the pulley and belt drive system, "560, figure 1, **31,31,32**, teaches using such an old and well known drive mechanism to rotate the spindle. It would have been obvious to one of ordinary skill to have provided '529 with the belt and pulley drive mechanism as taught by '560, to allow controlled rotation of the spindle without slippage (the pulleys and belt are toothed).

5. Claims 11, 14, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesna et al, US005595529A in view of Kahn US006196907B1 as applied to claim 1 above, and further in view of Janssen, 4,007,560. '529 as modified by '907 does not disclose use of the pulley and belt drive system. "560, figure 1, **31,31,32**, teaches using such an old and well known drive mechanism to rotate the spindle. It would have been obvious to one of ordinary skill to have provided '529 as modified by '907 with the belt and pulley drive mechanism as taught by '560, to allow controlled rotation of the spindle without slippage (the pulleys and belt are toothed).

6. Claims 42-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesna et al, US005595529A in view of Janssen, 4,007,560 as applied to claim 34 above, and further in view of Kahn US006196907B1. '529 as modified by '560 does not disclose the spindle having a channel disposed longitudinally through it, and the second orifice of each of the plurality of first conduits in fluid communication with the longitudinal channel of the spindle. '907, in a similar device, teaches providing a fluid supply system that supplies fluid through a channel in the rotating spindle, and conduits in fluid communication with the longitudinal channel to supply fluid to an upper platen. It would have been obvious to one of ordinary skill to have provided '529 with the fluid channel in the spindle as taught by '907, figures 2 and 3 and their descriptions, to allow for an internal fluid supply system for a more compact machine.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other similar devices are cited of interest.

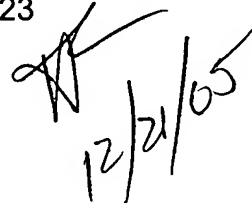
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Rachuba whose telephone number is 571-272-4493. The examiner can normally be reached on Monday-Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M Rachuba  
Primary Examiner  
Art Unit 3723

Handwritten signature and date 12/21/05.